STATE OF ILLINOIS)
) SS
COUNTY OF OGLE)

ORDINANCE NO. 2009-1203

AN ORDINANCE APPROVING A ZONING MAP AMENDMENT ON PROPERTY LOCATED AT 11490 N. TOWER ROAD, BYRON TOWNSHIP

WHEREAS, JNASA Holding, LLC c/o Jerald Aarvig, 12680 Ashfield Rd., Caledonia, IL has filed a petition for a Map Amendment (Petition No. 09-09AM) to re-zone from AG-1 Agricultural District to R-1 Rural Residence District on property located at 11490 N. Tower Road and legally described as shown in Exhibit "A" attached hereto; and

WHEREAS, following due and proper notice by publication in the Ogle County Life at least fifteen (15) days prior thereto, and by mailing notice to all owners of property abutting the subject property at least fifteen (15) days prior thereto, the Ogle County Zoning Board of Appeals conducted a public hearing on November 24, 2009, at which the petitioner presented evidence, testimony, and exhibits in support of the requested Map Amendment, and no member(s) of the public spoke in favor of or against the petition; and

WHEREAS, the Zoning Board of Appeals, having considered the evidence, testimony and exhibits presented has made its findings of fact and recommended that the requested Map Amendment be approved as set forth in the Findings of Fact and Recommendation of the Ogle County Zoning Board of Appeals dated November 24, 2009, a copy of which is appended hereto as Exhibit "B"; and

WHEREAS, the Planning and Zoning Committee of the Ogle County Board has reviewed the testimony and exhibits presented at the public hearing and has considered the Findings of Fact and recommendation of the Zoning Board of Appeals, and has forwarded a recommendation to the Ogle County Board that the requested Map Amendment be approved; and

WHEREAS, the Ogle County Board has considered the findings of fact and recommendation of the Zoning Board of Appeals and the recommendation of the Planning and Zoning Committee, and has determined that granting the Map Amendment would be consistent with the requirements established by Section 9.07(G) of the Ogle County Amendatory Zoning Ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY BOARD OF OGLE COUNTY, ILLINOIS, as follows:

SECTION ONE: The report of the Ogle County Zoning Board of Appeals, Exhibit "B" attached hereto, is hereby accepted and the findings set forth therein are hereby adopted as the findings of fact and conclusions of the Ogle County Board.

SECTION TWO: Based on the findings of fact as set forth above, the parcel of land located at 11490 N. Tower Road in Byron Township and legally described as shown in Exhibit "A" attached hereto, is hereby rezoned from AG-1 Agricultural District to R-1 Rural Residence District, and the Ogle County Zoning Map shall be amended to reflect said zone change.

SECTION THREE: This Ordinance shall be in full force and effect upon its adoption by the County Board of Ogle County, Illinois and attestation by the Ogle County Clerk.

SECTION FOUR: Failure of the owners of other party in interest to comply with the terms of this Ordinance, after execution of such Ordinance, shall subject the owners or party in interest to the penalties set forth in Section 9.10 of the Ogle County Amendatory Zoning Ordinance.

PASSED BY THE COUNTY BOARD THIS 15TH DAY OF DECEMBER 2009 A.D.

W. Ed Rice

W. Ed Rice, Chairman of the Ogle County Board

ATTEST:

Rebecca Huntley

Rebecca Huntley, Ogle County Clerk and
Ex Officio Clerk of the Ogle County Board